

10/088859

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Handwritten signature/initials

In re application of :
Seishi KATO et al. : **Attn: BOX PCT**
Serial No. NEW : **Docket No. 2002_0400A**
Filed March 22, 2002 :

**A METHOD FOR PRODUCING AN ANTIBODY
BY GENE IMMUNIZATION
[Corresponding to PCT/JP01/06371
Filed July 24, 2001]**

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents,
Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of [X] the references listed on attached form PTO-1449 and/or [] the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in international application no. PCT/JP01/06371.

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

ATTACHMENT C

- 1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, or

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

- 1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and

the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
 - b. ☒ a foreign patent office search report (in the English language) submitted herewith,
 - c. ☐ the concise explanation contained in the specification of the present application at page,
 - d. ☐ the concise explanation set forth in the attached English language abstract,
 - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Seishi KATO et al.

By

Warren M. Cheek, Jr.

Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicants

WMC/dlk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
March 22, 2002

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| Sheet 1 of 2 | | 10/088859 | |
| FORM PTO 1449 (modified) | | ATTY DOCKET NO. 2002_0400A | |
| U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | APPLICANT Seishi KATO et al. | |
| LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary) | | FILING DATE March 22, 2002 | |
| Date Submitted to PTO: March 22, 2002 | | GROUP | |
| U.S. PATENT DOCUMENTS | | | |
| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME |
| | AA | | |
| | AB | | |
| FOREIGN PATENT DOCUMENTS | | | |
| | DOCUMENT NUMBER | DATE | COUNTRY |
| | AC | | |
| OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.) | | | |
| AD | S. KATO et al., "Selection of cDNAs encoding putative type II membrane proteins on the cell surface from a human full-length cDNA bank", Gene, March 4, 1999, 228 (1-2), pp. 161-167. | | |
| AE | P. J. LEWIS et al., "Altering the cellular location of an antigen expressed by a DNA-based vaccine modulates the immune response", J. Virol., December 1999, 73 (12), pp. 10214-10223. | | |
| AF | J. S. BOYLE et al., "Influence of cellular location of expressed antigen on the efficacy of DNA vaccination: cytotoxic T lymphocyte and antibody responses are suboptimal when antigen is cytoplasmic after intramuscular DNA immunization", Int. Immunol., December 1997, 9 (12), pp. 1897-1906. | | |
| AG | G. J. WAINE et al., "DNA immunization by intramuscular injection or gene gun induces specific IgG antibodies against a Schistosoma japonicum 22 kDa antigen, Sj22, when fused to the murine Ig K-chain secretory leader sequence", Parasite Immunol., January 1999, 21 (1), pp. 53-56. | | |
| AH | Y. CHEN et al., "DNA vaccines encoding full-length or truncated Neu induce protective immunity against Neu-expressing mammary tumors", Cancer Res., May 1, 1998, 58 (9), pp. 1965-1971. | | |
| AI | P. J. LEWIS et al., "Intradermal immunization with a bovine herpes virus-1 DNA vaccine induces protective immunity in cattle", J. Gen. Virol., April 1998, 79 (part 4), pp. 831-839. | | |
| AJ | Z. Q. XIANG et al., "Immune responses to nucleic acid vaccines to rabies virus", Virology, June 1, 1995, 209 (2), pp. 569-579. | | |
| AK | Database BIOSIS on STN, AN2000:68682, C.A. TORRES et al., "DNA immunization: effect of secretion of DNA-expressed hemagglutinins on antibody responses", Vaccine, December 10, 1999, 18 (9-10), pp. 805-814. | | |
| AL | Database BIOSIS on STN, AN1999:195880, A. FOMSGAARD et al., "HIV-1 DNA vaccines", Immunol. Lett., January 1999, 65 (1-2), pp. 127-131. | | |
| EXAMINER | | DATE CONSIDERED | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 2 of 2

FORM PTO 1449 (modified)

ATTY DOCKET NO.
2002_0400A

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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEAPPLICANT
Seishi KATO et al.LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)FILING DATE
March 22, 2002

GROUP

Date Submitted to PTO: March 22, 2002

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|----------------------|--|--------------------|------|------|-------|----------|-------------------------------|
| | | BA | | | | | |
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FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES NO |
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| | | BJ | | | | | |
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OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

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|--|----|--|
| | BO | Database BIOSIS on STN, AN2000:280160, D. R. DREW et al., "Humoral immune responses to DNA vaccines expressing secreted, membrane bound and non-secreted forms of the Tania ovis 45W antigen", Vaccine, May 22, 2000, 18 (23), pp. 2522-2532. |
| | BP | Database BIOSIS on STN, AN2001:122889, W. F. CHENG et al., "Enhancement of sindbis virus self-replicating RNA vaccine potency by targeting antigen to endosomal/lysosomal compartments", Hum. Gene. Ther., February 10, 2001, 12 (3), pp. 235-252. |
| | BQ | |

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.